

VILLAGE OF PORT CLEMENTS

BYLAW #470, 2021

A BYLAW TO IMPOSE A FEE AGAINST THE OWNER OR OCCUPIER OF REAL PROPERTY FOR THE USE OF THE WATER SYSTEM OF THE VILLAGE OF PORT CLEMENTS

WHEREAS the Community Charter gives Council the power to impose a fee payable in respect of all or part of a service of the municipality, to establish different rates or levels of fees in relation to different factors, and to establish terms and conditions for payment of a fee, including discounts, interest and penalties, by bylaw;

NOW THEREFORE the Council of the Village of Port Clements in open meeting assembled enacts as follows:

TITLE

This Bylaw may be cited as "Water Rates Bylaw #470, 2021"

DEFINITIONS

Regular Business Day: refers to the days of the week that the Village Office is regularly open for business to the public.

Connection or Connect: means tying into, tapping, or otherwise connecting to the water system of the Municipality by means of pipes, valves, fitting or other apparatus.

Consumer: the owner or occupier of land or real property whose property is connected to the water system and is accessing the water service.

Municipal Officer: refers to municipal employees that are officers established by Council per the Community Charter and act as the collector of the payable fees.

Owner: means the duly registered owner of real property.

Water System: means the entire water system owned by the Village of Port Clements and as established by bylaw.

Turned off/turn off: means to discontinue the access to the water service by closing a curb-stop or by such other means as deemed appropriate.

Turned on/turn on: means to commence access to the water service by opening a curb-stop or by such other means deemed as appropriate.

BODY

1. A fee is imposed and levied as a water user charge against the consumer. Each consumer will be classified by the municipal officer in accordance with the categories set out in Schedule "A" attached to and forming part of this Bylaw, and each consumer will pay to the Municipality

the applicable user charge as set out in Schedule "A". All properties will be billed for the highest appropriate use category.

2. All properties having water service are liable to pay the fees levied under this bylaw and the same shall be calculated from the date of turn-on and continues to pay such rates until the date of turned-off. The fees payable in respect of the month of turn on and turn off shall be prorated as the circumstances of any case requires.

3. In the case of a connection being made during the year, the charge imposed shall begin with the month during which the final inspection of the water connection was made, and service turned on. If the final inspection is done on or before the 15th of the month then the full monthly rate shall be charged, otherwise the charge shall be one-half of the monthly charge.

4. The user charge shall be due and payable quarterly at the Municipal Office of the Municipal Officer on the last regular business day of the last month in the three-month quarter.

5. A 3% penalty shall be applied quarterly to all overdue accounts on the cumulative balance outstanding for the calendar year.

5. Any outstanding balance of fees and penalties remaining unpaid on the 31st day of December shall be rolled into arrears taxes on the property concerned and shall be forthwith entered on the real property tax roll by the municipal officer as taxes in arrears.

6. If any section, subsection, or paragraph of this Bylaw is found invalid by a decision of a Court or competent jurisdiction, the invalid section, subsection, or paragraph shall be severed without effect on the remainder of the bylaw.

7. This bylaw shall come into effect for the January 1, 2022 billing quarter and shall remain in force until repealed or amended. Schedule A details the rates that will be in effect January 1, 2022.

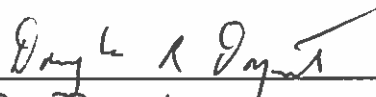
8. The Village of Port Clements "Village of Port Clements Water Rates Bylaw #411, 2014" is hereby repealed.

READ A FIRST TIME THIS 20 DAY OF DECEMBER 2021

READ A SECOND TIME THIS 20 DAY OF DECEMBER 2021

READ A THIRD TIME THIS 20 DAY OF DECEMBER 2021

RECONSIDERED AND FINALLY ADOPTED THIS 17 DAY OF JANUARY 2022



Doug Daugert
MAYOR



Elsie Lemke
CHIEF ADMINISTRATIVE OFFICER

CERTIFIED A TRUE COPY OF
Water Rates Bylaw #470, 2021

Water Rates Bylaw #470, 2021

SCHEDULE "A"

EFFECTIVE JANUARY 1, 2022

Attached to and forming part of Water Rates Bylaw #470, 2021

User Rate Categories:	Rate/Month
1. Single Family Residence including Mobile Homes	\$ 23.45
2. Duplex/Apartments/Suites	
-up to four (4) units per property (price per unit)	\$ 23.45
-each unit over and above four (4) units per property	\$ 15.95
3. Hotels/Motels/Lodging Houses, B&B, etc.	
-each sleeping unit	\$ 5.55
-each unit which also includes a kitchen facility	\$ 7.00
4. Cafes/Restaurants/Liquor Primary Establishments	
-up to 20 seat capacity	\$ 33.90
-greater than 20 seat capacity	\$ 39.70
5. Commercial/Rental Establishment (including but not limited to Garage/service station/retail store/hair salon)	
-less than 2500 ft ²	\$ 23.45
-greater than 2501 ft ²	\$ 35.00
6. Schools, each classroom	\$ 23.45
7. Hospitals/Clinics, per bed	\$ 5.55
8. Church	\$ 23.45
9. Laundromat, each washing machine	\$ 13.00
10. Industrial use	
-fish processing – max 2" service	\$ 59.30
-other manufacturing – max 1" service	\$ 33.90
11. Any use not listed above	\$ 23.45